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PATENT & TRADEMARK OFFICE
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Philippe Msika et al.

Title: PEPTIDE EXTRACT OF LUPINE AND PHARMACEUTICAL OR COSMETIC OR NUTRITIONAL COMPOSITION COMPRISING THE SAME

Appl. No.: 10/678,884

Filing Date: 10/03/03

CPA Filing Date: October 3, 2003

Examiner: Shaojia Jiang

Art Unit: 1617

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.

Robert N. Young
(Printed Name)

(Signature)

January 21, 2004
(Date of Deposit)

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO-1449 a listing of the document cited by or submitted to the U.S.P.T.O. in parent application Serial No. 09/958,092, filed 11/16/2001. As provided in 37 CFR §1.98(d), a copy of the document is not being provided since it was previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR

§1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR § 1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

An English translation of the foreign-language document is not readily available. However, an English language abstract of the foreign language document are included herewith.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350.

Respectfully submitted,

Date 1/21/04

By

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Form PTO-1449 (MODIFIED)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 065691-0316	SERIAL NO. 10/678,884
INFORMATION DISCLOSURE CITATION		APPLICANT Philippe Msika et al.	
(Use several sheets if necessary)		FILING DATE October 3, 2003	GROUP ART UNIT Unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
		US 4,994,272	2/1991	Hussmann et al			
		US 6,146,616	11/14/2000	Msika et al			

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES	TRANSLATION NO
		JP 10007518	1/1998	JP			abstract	

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		Sutherland et al., "Effect of Root Extracts of Resistant Pasture Plants on the Feeding and Survival of Black Beetle Larvae, *Heteronychus Arator*," New Zealand Journal of Zoology, 5(1), pp. 173-176, 1978. Published by Crown Publishers.
		Ballester et al., "Chemical Composition, Nutritive Value, and Toxicological Evaluation of Two Species of Sweet Lupine (Lupinus Albus and Lupinus Luteus).," J Agric Food Chem 28 (2): pp. 402-405, 1980.
		Hines, M., et al., " Screening for Cysteine Proteinase Inhibitor Activity in Legume Seeds." Journal of the Science of Food and Agriculture, (59) pp. 555-557, Elsevier Applied Science Publishers, Barking, Great Britain, 1992.
		Gulewicz et al, "Gibberellic Acid Production by *Fusarium Moniliforme* on Lupin Seed Extract " Acta Microbiologica Polonica, 43 (1) pp. 73-77, 1994. Published in Warsaw, Poland.
		Silva, et al., "Efeito Inseticida de Extratos Vegetais Sobre Lagartas de Ascia Monuste Orseis" Ciencia e Pratica Vol 19, No. 4, pp. 420-424, 1995. Published by Agropecuario Elaborados
		Wink, et al., "Patterns of Quinolizidine Alkaloids in 56 Species of the Genus Lupinus," J Phytochem (38) No. 1, pp. 139-153, 1995. Published by Elsevier Science Ltd.
		Radlowski, M. et al., "Systemin-an Inducer of Proteinase Inhibitor Synthesis can be Responsible for Biological Activity of Luppin Extract Against Insects." Journal of Plant Physiology (150): pp. 220-223, Fischer, Stuttgard, Germany, 1997.
		Aniszewski et al., "Equilibrium Between Basic Nitrogen Compounds in Lupin Seeds with Differentiated Alkaloid Content." Phytochemistry 57(1): pp. 43-50, 2001.
		Pothier et al., "A Comparative Study of the Effects of Sparteine, Lupanine and Lupin Extract on the Central Nervous System of the Mouse," Journal of Pharmacy and Pharmacology 50(8) pp. 949-954, 1998. Published by The Royal Pharmaceutical Society of Great Britain.

		International Search Report for PCT/FR 00/01007
EXAMINER		**DATE CONSIDERED**

* **EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.**

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